

**REPORT - PLANNING COMMISSION MEETING
May 26, 2005**

Project Name and Number: Aboobaker Residence (PLN2005-00202)

Applicant: Mohammad Aboobaker

Proposal: A Planned District minor amendment for site plan and architectural approval for an exterior remodel and 455 square foot addition to an existing 7,246 square-foot (including a 999 square-foot garage) single-family dwelling.

Recommended Action: Approve, subject to conditions

Location: 2087 Rancho Higuera Court

Assessor Parcel Number(s): 519-1700-6

Area: 2.4 acres

Owner: Mohammad Aboobaker

Agent of Applicant: Doug Fernandez, Designer

Environmental Review: The proposed addition and remodel of a single-family residence is categorically exempt under CEQA per Section 15301(e), minor addition to an existing structure.

Existing General Plan: Low Density Residential (.5 to 1.5 dwelling units per acre)

Existing Zoning: P-84-1, Residential Planned District

Existing Land Use: One Single-Family Residence

Public Hearing Notice: Public hearing notification is applicable. A total of 25 notices were mailed to owners and occupants of property within 300 feet of the site on the following streets: Rancho Higuera Court, Sentinel Drive, Tewa Court, Saguare Court, Saguare Common, and Estates Terrace. The notices to owners and occupants were mailed on May 13, 2005. A Public Hearing Notice was delivered to The Argus on May 9, 2005, to be published by May 12, 2005.

Executive Summary: The applicant proposes an exterior remodel and a 455 square foot addition to an existing 7,246 square foot residence. Based on staff's proposed Toe of the Hill line, the subject property is located in the hill area subject to the Hill Area Initiative of 2002 (Measure T). Because the addition is primarily single-story and the proposed balcony on the front of the home is an integral part of the remodeled façade, staff believes that the proposed modifications meet the spirit and intent of Measure T and the Hill Area overlay district. The use of earth-tone colors also help to blend the house into its surroundings. Staff also believes the new Spanish eclectic architecture is a significant improvement over the existing neoelectic architecture.

Background and Previous Actions: On October 22, 1987 the Planning Commission approved a 7,246 square foot (including 999 square foot garage) single-family residence on the subject site. The house was constructed in 1990 and it is one of 21 single-family homes located in the Planned District (P-84-1) identified as Elegant Valley. This single-family residential subdivision is located northeast of Paseo Padre Parkway and Curtner Road in the Warm Springs Planning Area. The Planned District contains a condition that requires Planning Commission review and approval of the site plan and architecture for all custom residences within the subdivision.

Proposal: The applicant proposes an exterior remodel and 455 square foot addition to the existing residence. The modifications will primarily occur on the front elevation. The changes consist of a new entry feature and porch; enlarged

foyer; a new one-car garage (beside the existing three-car garage), and a small hobby room. The changes to the architectural style of the residence are discussed later in this report.

The residence is located just within staff's proposed Toe of the Hill line, and is therefore within the hill area that is regulated by the Hill Area Initiative of 2002 (Measure T). The initiative was drafted and placed on the November 2002 ballot by a group of Fremont citizens, and was successfully passed by the voters. The Initiative is current and binding law and applies to all development proposed in the Fremont Hill Area, as defined by the Initiative.

The Initiative states that its purpose "is to protect natural resources, watersheds and water quality, wildlife habitat, beauty and tranquility, and scenic hill views, while permitting access to nature and outdoor recreation for the residents of Fremont. It is designed to prevent urban-type sprawl by providing a needed balance between urban development and rural, natural qualities, the measure helps preserve the special character and identity of Fremont and the high quality of life in the City."

Measure T applies to approximately three-quarters of the 2.4 acre subject lot, including the area where the existing residence is located. As previously stated, the applicant proposes to add 455 square feet to the existing residence. The existing residence is setback almost 200 feet from the front property line. The addition will primarily be located in an area that is currently occupied by the stairway leading to the front door. Because the front of the house is situated at an angle that is almost perpendicular to the street, and because the addition will be primarily comprised of a single-story addition and remodeled entryway, staff believes the addition will be consistent with the provisions of Measure T. There is also a very large oak tree in the front yard that screens much of the home from view from Rancho Higuera Court. Staff believes the proposed modifications to the subject residence meets the spirit and intent of Measure T and is appropriately designed for the neighborhood in which it is located.

Architecture: Several of the homes adjacent to the subject house have a Spanish/Mediterranean design. The existing subject residence is a neoelectic style, which was popular in the United States beginning in the mid 1970's. The front elevation of the house features a steeply pitched roof with windows that have arched roofs above them. The proposed architecture is Spanish eclectic. The new front elevation includes a decorative wood and beveled glass entry doors that are emphasized by an arched window above them, and new gabled porch roof with columns. The arched roofs above the other windows on the front elevation will be replaced by formal gabled roofs with pilasters. Decorative wrought iron balustrades with stucco posts accented with stone are used on the new balconies and entry stairway that will be integrated into the front facade. A proposed new colonnade will be used to provide building articulation and depth to the front of the residence. The applicant proposes to use an earth-tone color pallet with a beige color on the two upper floors and a taupe color on the first floor. Staff encouraged the applicant to utilize a deeper shade of paint on the first floor of the house to help minimize the height of the building. Because stone is commonly used on a house with Spanish architecture, staff worked with the applicant to replace bricks on the exterior of the house with stone. The applicant has selected fieldstone. Staff believes the proposed remodel significantly improves the appearance of the residence.

General Plan and Zoning Conformity: The subject property is General Planned Low Density Residential 0.5-1.5 dwellings per acre. The Zoning is P-84-1, a Planned District containing 21 residential custom lots.

Environmental Review: The proposed addition and remodel of a single-family residence is categorically exempt under CEQA per Section 15301(e), minor addition to an existing structure.

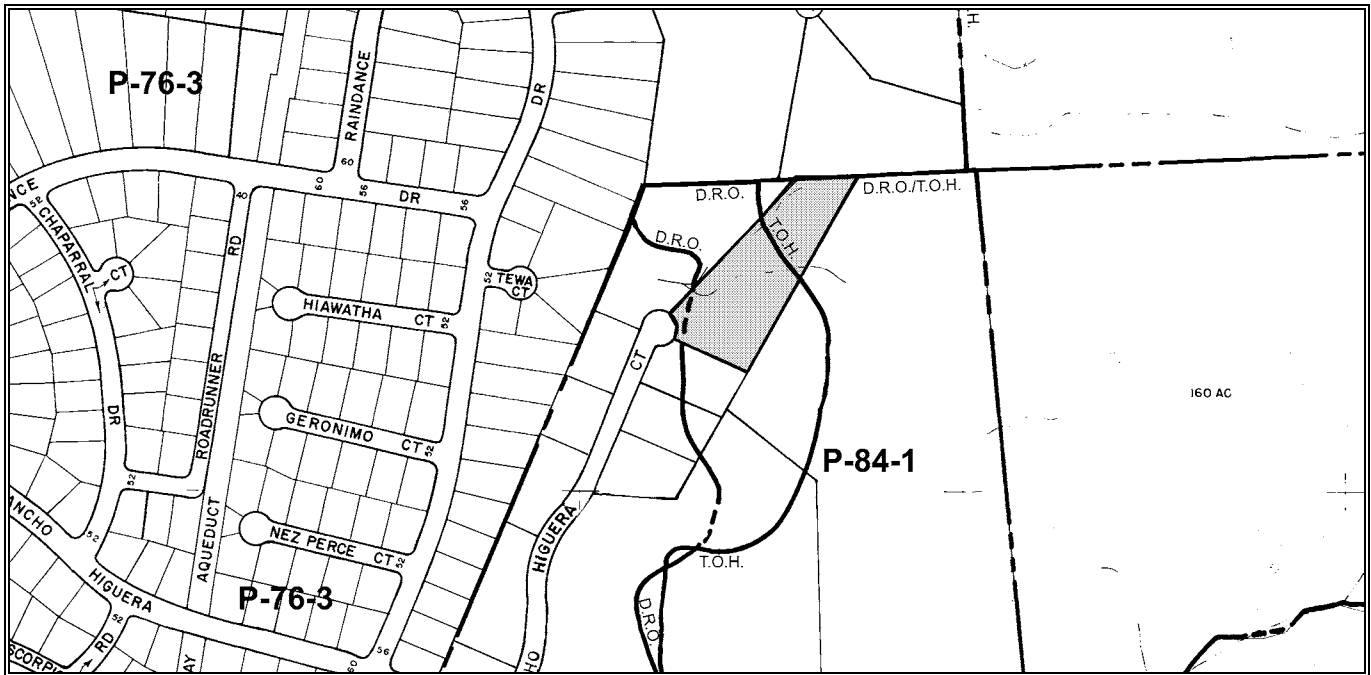
Response from Agencies and Organizations: No responses have been received to date.

Exhibits:	Exhibit "A"	Site Plan, Floor Plan, Elevations, Color and Material Board
	Exhibit "B"	Conditions of Approval
Enclosures:	Exhibit "A"	Site Plan, Floor Plan, Elevations
Informational:	Info "1"	Owner's Request for Modification letter

Recommended Actions:

1. Hold public hearing.
2. Find project is exempt from CEQA review per section 15301(e); minor addition to existing structures.
3. Find PLN2005-00202 is in conformance with the relevant provisions contained in the City's existing General Plan. The project conforms to the goals and objectives of the Warm Springs Planning Area.
4. Approve PLN2005-00202, as shown on Exhibit "A", subject to the conditions of approval set forth in Exhibit "B"

Existing Zoning
Shaded Area represents the Project Site



Existing General Plan



EXHIBIT "B"
Aboobaker Residence
Planned District Minor Amendment
PLN2005-00202

Conditions:

Prior to building permit issuance

- A-1 The project shall conform to Exhibit "A" and all applicable conditions of approval for P-84-1, and all conditions of approval set forth herein.
- A-2 The applicant shall submit appropriate plans to the Development Organization under a minor review to review and ensure compliance with all City codes and policies. Any changes or modifications required through the Development Organization review process shall be incorporated into the project.
- A-3 Windows, doors, visibility of address and the like shall conform to the Security Ordinance, No. 2007, as amended, subject to the review and approval of staff during the Development Organization review process.
- A-4 Minor revisions to the floor plan and architectural details may be permitted within the overall context of the approved design concept, subject to the approval of the Planning Director during the Development Organization review process.
- A-5 The project shall conform to the City's Hazardous Fire Area requirements as set forth in Chapter 16, Uniform Building Code, as amended.
- A-6 An approved automatic fire extinguisher system (AFES) shall be installed throughout the residence, subject to review and approval of staff during the Development Organization review process.
- A-7 All retaining walls shall be constructed of appropriate reinforced material and designed to match the texture and color of the building. No retaining wall shall exceed three feet in height.
- A-8 The wrought iron railing shall be true wrought iron as depicted in the cut sheet made part of Exhibit "A". Any changes to the appearance and style of the wrought-iron shall be subject to the review and approval of staff during the Development Organization review process.
- A-9 The applicant shall comply with the City's Urban Runoff Clean Water Program in accordance with the NPDES requirements issued by the State's Water Quality Control Board.
- A-10 The project plan shall include erosion control measures to prevent soil, dirt, debris, or other pollutants from entering the storm drain system during and after construction. A separate plan shall be submitted for this purpose and shall be subject to review and approval of Development Organization staff during the Development Organization process.
- A-11 The applicant shall be responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop orders.
- A-12 The applicant shall submit a detailed soils report including recommendations regarding drainage structures and the existing sub drain, prepared by a qualified soils engineer registered by the State of California.

During Construction:

- C-1 Prior to installation of the stucco coat, the applicant or the applicant's representative, shall request an inspection of the residence by the project planner in order to ensure compliance with all of the architectural detailing of the building as specified in the approved drawings.
- C-2 The property owner shall be responsible for litter control and sweeping of all paved surfaces. All on-site storm drains shall be cleaned immediately before the start of the rainy season beginning on October 15 each year, subject to the review of the Building/ Public Works Inspector.
- C-3 Construction activities shall be limited to the following hours of operation:
 - 7 a.m. to 7 p.m. Monday through Friday
 - 9 a.m. to 6 p.m. on Saturday
 - No construction on Sunday

Failure to comply with the above-mentioned hours of operation will result in revocation of permits.

Prior to release of building for occupancy:

- D-1 The Project Architect shall submit a letter to the City certifying the building and its associated landscaping have been constructed in conformance with the approved architectural plan, subject to the review and approval of the Planning Director.